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Sandra E. Marxen

Printed name of person mailing correspondence

Sandra E. Marxen
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard F Selden et al.

Art Unit:

Serial No.: Not Yet Assigned

Examiner:

Filed: Herewith

Title: IN VIVO PRODUCTION AND DELIVERY OF ERYTHROPOIETIN
OR INSULINOTROPIN FOR GENE THERAPY

06/21/1999 RECEIVED BY MAIL 06/21/1999
BOX PATENT APPLICATION

01 FC:122 Assistant Commissioner of Patents
Washington, DC 20231

PETITION TO ACCEPT BLACK & WHITE PHOTOGRAPHS

Applicant hereby petitions under 37 C.F.R. § 1.84(b)(1) that the black and white photographs filed herewith be accepted. The subject matter of the invention relates to methods of producing clonal cell strains of transfected secondary cells that produce erythropoietin. The photographs in Figures 5A and 5B are necessary to accurately and clearly depict the subject matter sought to be patented.

Enclosed is a check for \$130.00 to cover the fee required under 37 C.F.R.

§ 1.17(h) and one set of the photographs, rather than three, considering the Official

Gazette Notice of June 9, 1998 in which the PTO *sua sponte* waived 37 C.F.R.

§ 1.84(b)(1)(ii) so that only a single set of black and white photographs need be submitted with a Petition to Accept Black and White Photographs *in lieu* of drawings.

If there are any charges, or any credits, please apply them to Deposit Account No.

03-2095.

Respectfully submitted,

Date: June 8, 1999

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